EXPRESS MAIL NO.: EV 272908728 US DATE DEPOSITED: SEPTEMBER 22, 2003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Donald E. Weder)	Atty. Dkt. N	۱o.	8403.982
Serial No.:	Not Yet Assigned)			
Filed:	September 22, 2003)			

For: DECORATIVE GRASS HAVING AN APPEARANCE SIMULATING THE

APPEARANCE OF CLOTH

Mail Stop - Patent Application Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

- 1. [X] Preliminary Statements
- 2. **[X]** FORM PTO-1449 (Modified)
- 3. **[X]** Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies are Submitted or Need Be Submitted
- 4. **[X]** Copies of Listed Information Items Accompanying this Statement
- 5. **[X]** Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. \S 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

- [X] A completed Form 1449 (Modified) is attached hereto.
- [] No Form 1449 (Modified) is attached.

Section 3. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application **U.S. Serial No.** 10/238,448, filed on September 9, 2002.

Section 4. Copies of Listed Information Items Accompanying this Statement.

Legible copies of all items listed in Form PTO-1449 (Modified) accompany this information disclosure statement.

- [X] Exception(s) to above:
 - [X] Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 3.

Section 5. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- [] supplied by the inventor(s)
- [] supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- [X] in the attorney's file

Respectfully submitted,

Kathryn L. Hester, Ph.D.

Reg. No. 46,768

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Agent for Applicant

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PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitu	ute for form 1449A/PT0)		Complet if Kn wn				
				Application Number	Not Yet Assigned			
INF	ORMATION	DI	SCLOSURE	Filing Date	September 22,2003			
STA	ATEMENT B	Y	APPLICANT	First Named Inventor	Donald E. Weder			
				Group Art Unit	Not Yet Assigned			
(use as many sheets as necessary)				Examiner Name	Not Yet Assigned			
Sheet	1	of	3	Attorney Docket Number	8403.982			

				U.S. PATENT DOCUM	MENTS	
Examiner Initials	Cite No.1	U.S. Patent Document Kind Code ² (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	583925		McGowan	06/08/1897	
	АВ	1794212		Snyder	02/24/1931	
	AC	1892818		Trew	01/03/1933	
	AD	2268244		Davis	12/30/1941	
	ΑE	2679887		Doyle et al.	06/01/1954	
	AF	2785508		Coleman, Jr.	03/19/1957	
	AG	3058263		Reynolds	10/16/1962	
	АН	3660187		Shortway et al.	05/02/1972	
	Al	3911187		Raley	10/07/1975	
	AJ	3962503		Crawford	06/08/1976	
	AK	4056646		Westfall et al.	11/01/1977	
	AL	4104845		Hoffmann	08/08/1978	
	AM	4199627		Weder et al.	04/22/1980	
	AN	4216620		Weder et al.	08/12/1980	
	AO	4248347		Trimbee	02/03/1981	
	AP	4277427		Kaminski et al.	07/07/1981	
	AQ	4292266		Weder et al.	09/29/1981	
	AR	4359442		Cleminson et al.	11/16/1982	
	AS	5038930		Holtkamp, Jr.	08/13/1991	
	AT	5065925		Harris	11/19/1991	

				FORE	IGN PATENT DOCUMENT	rs		
	C:1-	F	oreign Patent Do	cument	Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	Π
Examiner Initials	Cite No. ¹	Office ³	Number⁴	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T6
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Examiner	Date
Signature	Considered

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Complete if Known Substitute for form 1449A/PTO **Application Number** Not Yet Assigned **INFORMATION DISCLOSURE** September 22,2003 **Filing Date** STATEMENT BY APPLICANT **First Named Inventor** Donald E. Weder Group Art Unit Not Yet Assigned (use as many sheets as necessary) Examiner Name Not Yet Assigned 2 Sheet of 3 Attorney Docket Number 8403.982

				U.S. PATENT DOCU	MENTS	
Examiner Initials*	Cite No.1	U.S. Patent Docum Kind C Number (if kno	Code ²	Name of Patentee or Applicant	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AU	5088972		Parker	02/18/1992	
	AV	5094060		Caird	03/10/1992	
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	AX	5173352		Parker	12/22/1992	
	AY	5200253		Yamaguchi et al.	04/06/1993	
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	вк	5921907		Beierlorzer	06/13/1999	

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Cite No. ¹	Office ³	Foreign Patent D Office ³ Number ⁴			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T6	
3L		2147277			Germany	05/03/1973			
ВМ		2948265			Germany	05/07/1981			
BN		9916615			PCT	04/08/1999			
3	No. ¹ BL M	No. ¹ Office ³	Cite No.1 Office ³ Number ⁴ BL 2147277 M 2948265	Cite No.1 Office ³ Number ⁴ (if k	Cite No.1 Office3 Number4 Kind Code5 (if known) BL 2147277 M 2948265	Cite No.1 Number4 Kind Code5 (if known) Name of Patentee or Applicant of Cited Document BL 2147277 Germany M 2948265 Germany	Cite No.1 Office3 Number4 Kind Codes (if known) Name of Patentee or Applicant of Cited Document Cited Document MM-DD-YYYY SL 2147277 Germany 05/03/1973 M 2948265 Germany 05/07/1981	Cite No.1 Office3 Number4 Kind Code5 (if known) Applicant of Cited Document MM-DD-YYYY Passages or Relevant Figures Appear SL 2147277 Germany 05/03/1973 M 2948265 Germany 05/07/1981	

Examiner	Date	
Signature	Considered	
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Substitu	ite for form 1449B/PTC			Complete if Known			
				Application Number	Not Yet Assigned		
INFO	DRMATION	1 D	ISCLOSURE	Filing Date	September 22,2003		
STATEMENT BY APPLICANT				First Named Inventor	Donald E. Weder		
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(use as many sheets as necessary)				Examiner Name	Not Yet Assigned		
Sheet	3	of	3	Attorney Docket Number	8403.982		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T2			
	во	Speed Cover ®, The Simple Solution For These Peak Volume Periods, Highland Supply Corporation, 1989.				
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Examine Signature		Date Considered				

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